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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:)
) Examiner: Allen S. Wu
Daniel Schreiber)
Andrew Goldman) Art Unit: 2135
)
Application No: 09/730,326)
)
Filed: December 4, 2000)
)
For: COPYRIGHT PROTECTION OF)
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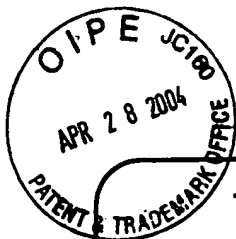
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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
37 CFR 1.121 MAILED APRIL 5, 2004 (PAPER NO. 19)

Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121), we are resubmitting the corrected "Amendment to Specification" section in its entirety.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/730,326
Filing Date	December 4, 2000
First Named Inventor	Daniel Schreiber
Art Unit	2135
Examiner Name	Wu, Allen S.
Attorney Docket Number	43426.00047

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Total Number of Pages in This Submission

11

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☒ Response to Notice of Non-Compliant Amendment 37 CFR 1.121 mailed April 5, 2004 (Paper No. 19)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

Copy of Notice of Non-Compliant Amendment (37 CFR 1.121) Paper No. 19 mailed 4/5/04

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual nameMarc A. Sockol, Reg. No. 40,823
Squire, Sanders & Dempsey L.L.P.
600 Hansen Way
Palo Alto, CA 94304-1043

Signature

Date

April 26, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Sandy Yi

Signature

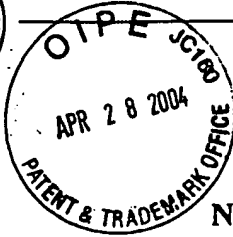
Date

April 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Paper No. 19

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5/29/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

☒ THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☒ 1. Amendments to the specification:

☐ A. Amended paragraph(s) do not include markings.

☒ B. New paragraph(s) should not be underlined.

☒ C. Other by marked-up replacement paragraphs or sections only

☐ 2. Abstract:

☐ A. Not presented on a separate sheet. 37 CFR 1.72.

☐ B. Other _____

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☐ 3. Amendments to the drawings: _____

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☐ 4. Amendments to the claims:

☐ A. A complete listing of all of the claims is not present.

☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)

☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.

☐ D. The claims of this amendment paper have not been presented in ascending numerical order.

☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Kin G. Jundak
Legal Instruments Examiner (LIE)

703.306.4139
Telephone No.